

Social Media: The New Executive Platform

An Honors Thesis (Honors 499)

by

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Abstract

Social media has become a part of everyday life for most Americans. It is continually updated and changed. It is a forum for news, ideas, politics and more. It is this idea of social media being used as a forum for news and ideas that this paper chooses to focus on. Specifically this paper examines the relationship between the presidency and the use of social media to report and communicate executive statements. The time frame of this comparison is pre-President Trump compared to post-President Trump. I analyze the use of presidential communication, specifically that of the executive statement in how it has changed over time, and the current format and use of it. This leads to examining the implications, legal as well as societal, that face the president by using Twitter as an official forum of communication through releasing executive statements.

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I would like to thank Dr. Brandon Waite for advising me through this project. His door was always open when I had questions, however endless they have been. Without his patience, guidance, and expert knowledge this paper would not have been possible.

To my family who gave me encouragement and strength in my academics and life, thank you. You made my four years at Ball State possible.

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Process Analysis Statement

Throughout my time at Ball State as an undergraduate, my favorite projects have all been research related. I have always enjoyed the process and growth that comes through research and then telling others of my findings. When the time came to do my honors thesis it seemed natural to me that I would be doing a research paper. A creative thesis never entered my mind. Choosing the topic was the hardest part for me. When I thought back on my classes as an undergraduate, the ones I preferred the most were related to my major - legal studies. I began to research law review articles and any type of research topics that related to the Constitution or the law. My favorite undergraduate project was writing my appellate brief in Dr. Gideon's Advanced Legal Research and Writing course. Once I realized that this was my favorite project, I knew I wanted a paper in which I could argue a side; something that moved me.

Knowing that I wanted a topic to argue and one that related to my major, I narrowed my field of ideas. I looked at specific topics related to the Bill of Rights. I originally chose the topic of free speech and how the president had no right to monitor the press. I began to look for an advisor, a professor that was familiar with this field and who I enjoyed talking with and knew me. I looked on Ball State's website for professors in the Political Science Department. I knew most of them. When I saw Dr. Waite on the list I was struck; this is who I wanted for my advisor. His Intro to American Government still remains one of my favorite classes that I have taken at Ball State - plus his specialty is listed as media in political science.

After talking to Dr. Waite once he agreed to be my advisor, I realized my topic was too broad. He gave me a few suggestions on how to narrow it. I remember reading his email while eating popcorn on my couch with the news on in the background. President Trump had sent an inflammatory tweet about Muslims, and all I could think was "the president does not need to be on Twitter." and then I was struck - what a perfect topic to write my thesis on. I have a definite opinion on this topic. It is very relevant today and the future and it has legal implications.

I began my research by scrolling through Twitter. I was looking for tweets from POTUS. This was just to give a place to jump off of. I found plenty of tweets but no place to start researching. After meeting with Dr. Waite I had a much clearer starting point. We had created an

outline. It was short but it had general topics that needed to be included in this paper - the history, the implications, and why it matters.

Once I had an outline I was good to go, which was very different for me. I usually write my papers as I research. I never outline. To me outlining is a foreign idea. I never saw the need for it. My papers usually wrote themselves. This was not the case for my thesis. I depended on my outline to direct my research. I began researching by attempting to better understand executive statements and what they are and how they differ from other forms of communication. I made the mistake of using presidential communication as searching term. I found almost nothing that directed me towards or about executive statements. It was not until I figured out how to word my searches that my research began to come together. Through my research I discovered what little information there is in academics about this topic and how some sources merely gave a base of information that I would use for my own inferences. Essentially my research gave me a base and I had to connect the dots together. Some research was done with more opinion pieces, such as the New York Times, in order to better understand other perspectives and see what I was missing in my own research.

I started my research with the history of executive statements. If I understand the history I am able to better understand what they statements are and the implications they have. Once I researched the history and wrote the history of executive statements my paper began to flow. It was through researching the history that I was able to find a working definition of executive statements and other forms of communications. Once I had written my history section Dr. Waite looked at it and asked me why was this long portion so relevant. He thought it could be cut down to a page, two at most. I realized I was not getting my point across in my writing. I explained that the history was relevant because it showed how technology has impacted the executive statement. Once I said that he said it is a very relevant point and it was with that in mind that I needed to rewrite this section.

It was with this mindset that I wrote and researched the rest of my paper, "why should this matter to my paper." Once this became my mantra, my paper researched and wrote itself, or at least there were times where it felt like that. My paper flowed until I hit the Trump Era portion of my paper. I was able to find reasons that Twitter could be a benefit and drawbacks for

presidents, but I could find very little for why the Trump Era was Twitter was of concern to the American people. Trump has used Twitter in such a way that has changed presidential communications. I knew this from living in this era as well as from my research about previous executive statements. However, I could not find the research or reasons that put to words how and why the Trump has made this change. It was not until I broadened my search to look at sociological aspects of the president being on twitter that I felt like my research rounded out. I could answer why this change in executive communications mattered when I looked at the impact it had on America as a society.

This thesis journey taught me much about myself. One being that I needed to approach my papers from multiple perspectives and this was okay. A political science analysis could overlap with a legal analysis, which could overlap with a sociological analysis of the same topic. To use one did not invalidate the other, in fact they built off each other, creating a much stronger paper than I had before. I learned that outlines matter. I am still not fully convinced that every paper needs to be outlined before being written, but I now see the use of an outline. I also have learned how a paper can be restructured numerous times. I had never moved sections in a paper as much as I did in my thesis. I had moved a paragraph here and there, and deleted a paragraph or two in past papers. In my thesis I would cut and paste five pages at a time, moving it around in my thesis. I wrote entire sections and then would completely erase them because I did not like how they read.

This thesis is a written evolution of my undergraduate. When I first entered college I was completely conservative, I would back a republican candidate wholeheartedly - no questions asked. It was my time at Ball State that I began to see fallacies in my beliefs. I became empathetic to ideas who were the exceptions to my beliefs. Most importantly, I learned to ask why. Why does this matter? Why does this matter more than something else?

I would like to hedge this by saying that I ask why, but I do so in a respectful manner and I believe this is the tipping point of my evolution in college. I used to believe that it was disrespectful to questions things, such a some decisions or actions taken by the president. Now I realize there is nothing wrong in questing if it helps you learn, and quite frankly somethings needs to be questioned. I still firmly believe that one should respect the Office of the President,

but the actions taken by the president do not always garnish respect, nor should they. This is applicable in life as well. Offices, administration, and degrees deserve respect but the people that hold them do not always deserve the same respect and it is learning how to differentiate between the two is what made this paper possible. I am grateful for my time in the Honors College. I was able to experience different ways of thinking and processing while being exposed to the humanities.

Introduction

Throughout time, presidents have utilized the communication technologies available to them to communicate their ideas to the public. This has changed the manner and the way that the president has communicated with the American people. Developing technology has created a different form of communication, social media. This form of communication has been utilized by the past two administration specifically in the form of Twitter. This paper examines the use of Twitter in regards to executive statements - should social media posts be considered executive statements and if so what are the implications of doing so?

Presidential Communications

Each form of presidential communication is created differently and utilized for a specific purpose. The president has numerous forms of communication at his disposal. Such forms include, but are not limited to: executive memorandums, executive orders, executive signing statements, and executive statements.

Executive Memorandums

Presidential memorandums are a basic outline of the administration's position of a policy issue. These carry the most weight and have legal authority. This authority stems from the power of an executive action, which is derived from Article II of the Constitution (Glossary Term of Executive Statement).

Executive Order

An executive order is an official statement from the president about or to the federal agencies that the president oversees and how these agencies are to use their resources. An executive order may contain an executive statement within it. An executive statement is used for only communication purposes and may be used within the White House and to the American public. It is used mainly as a forum for expressing opinions or information (Glossary Term of Executive Statement).

Executive Signing Statements

Signing statements are statements made by the president stating why he chose to sign this bill into law. This form of communication is not to be confused with executive communication which is, "A message sent to the Senate by the president or other executive branch official" (Lesson Summary of Presidential Communication). Presidential veto messages are an example of an "executive communication." Nor should it be confused with legislative statements, which are also known as signing statements (Glossary Term of Executive Statment).

Executive Statements

An executive statement is a form of presidential communication. It is an official statement from the president in regards to any subject of the president's choosing. This statement is typically made to and for the public with the understanding and acknowledgement of the authority of the president. There is no legal authority in an executive statement. With no legal authority, one may wonder why do executive statements matter (Lesson Summary of Presidential Communication)? Executive statements matter because they signal relations between the nation and her president; it sets an agenda for the public and the president; as well as it sets a sociological standard to which the president can be held to (What is an Executive Order).

This is not be confused with statements that say they came from the White House or the Oval Office. When these qualifications are put on a statement, then it is no longer an official executive statement. While the statement comes from the office of the president, it does not come directly from the president. It comes from the administration (Lesson Summary of Presidential Communication).

Official Executive Statements

Executive statements signal to the American people, even to other countries, what the president intends to accomplish and how he will treat a current situation. This can engage the public in negative and positive ways and allows the United States to understand what platform

the president intends to take on a subject. This potentially affects how courts and other governing bodies interpret the actions of the president because they are used to signal the frame of mind, intentions, and motives behind actions taken by the president (Blake).

History

Official Executive Statements are a part of presidential communication. In order to understand how these statements have evolved into the modern age one must examine the history of presidential communication and how it has changed the presentation of the executive statement. It is through the use of technology that these statements have changed in length, formality, and perception over time.

Article II Section 3 of the United States Constitution is the only direction given to presidents on communication, "He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient." The president is only required to address Congress from "time to time" in order to update them on current issues and information. Addressing the public was never made a requirement, but it is something every president has chosen to do (Couric).

Executive statements have been used for a variety of purposes. Lyndon B. Johnson used executive statements as a call for action with the Civil Rights Movement, "Until justice is blind to color, until education is unaware of race, until opportunity is unconcerned with the color of men's skins, emancipation will be a proclamation but not a fact" (Civil Rights and Civil Conflicts). Other presidents, such as F.D.R. used them as a bully pulpit for his political and social campaigns in his radio series, "Fireside Chats" (Couric). He addressed issues of the public, false reports, and educated the public on issues and policies that were at hand. When the nation was first born the presidents rarely used executive statements to communicate with the public. Most often, they were used within the offices to give an order to an inferior. It was over time that executive statements have evolved into direct communication with the public (Civil Rights and Civil Conflicts).

The founding fathers valued communication among the elite, they felt that the public should not be kept in the dark, but they did not need to be over indulged with information that

concerned how the president chose to conduct the nation. Part of this was an elitist view towards the role of the president (Couric). The founding fathers did not fully trust democracy in its purest form, thus the electoral college exists. They believed that people should know their government, their voices should be heard through elitist representation, and be somewhat informed. There was lack of full accountability to the people, this allowed for more limited need of communication (Civil Rights and Civil Conflicts).

In this era, the leader was trusted to make decisions and there was less scrutiny on the actions of the president. Part of this was due the lack of communication from the president to the people. This can be attributed to the inability to communicate to a far distance in a quick and easy way. When George Washington ascended into the presidency, the most direct way for him to communicate directly to the people was to travel and speak directly to a crowd. Oftentimes presidents did not have the time to travel, thus a lack of communication between the president and the American people began to form (Couric). While articles were written and laws issued, official executive statements more often came in speeches given by the president.

Presidents could rely on others to communicate their wants or ideas to the people but this could, and did, blur the message of the president. The other way for the president to communicate his ideas in this time period was to write to a newspaper and publish his ideas. Newspapers often refused to run the president's article if it did not coincide with their party's beliefs (Couric). The New Hampshire Gazette was cited for refusing to run articles from southern presidents in the colonial time period over the issue of slavery (The New Hampshire Gazette). Often time one part of the country would hear the president, while the other part heard nothing. This led to much miscommunication and lack of societal awareness. The executive statements in this period were formal and long. Due to infrequency of executive statements in this time period, when an executive statement was released it was often long and very formal (Civil Rights and Civil Conflict).

With the invention of the telegraph, an advancement in technology, came the first executive statement in the sense that we know it today. The President would make statements and have them circulated through the country, usually through newspapers, prior to the telegraph. But, this held a lack of accountability and consensus in the statements. The people were not all

being told at one point in time and each statement tended to vary. Due to the increase of ease of communication, with use of the telegraph, more executive statements were released. They still held a formal tone, but were much briefer in content. Telegraphs could not write very much and sentences were forced to be kept short. Technology changed the way the executive statement was given to the American people (Couric).

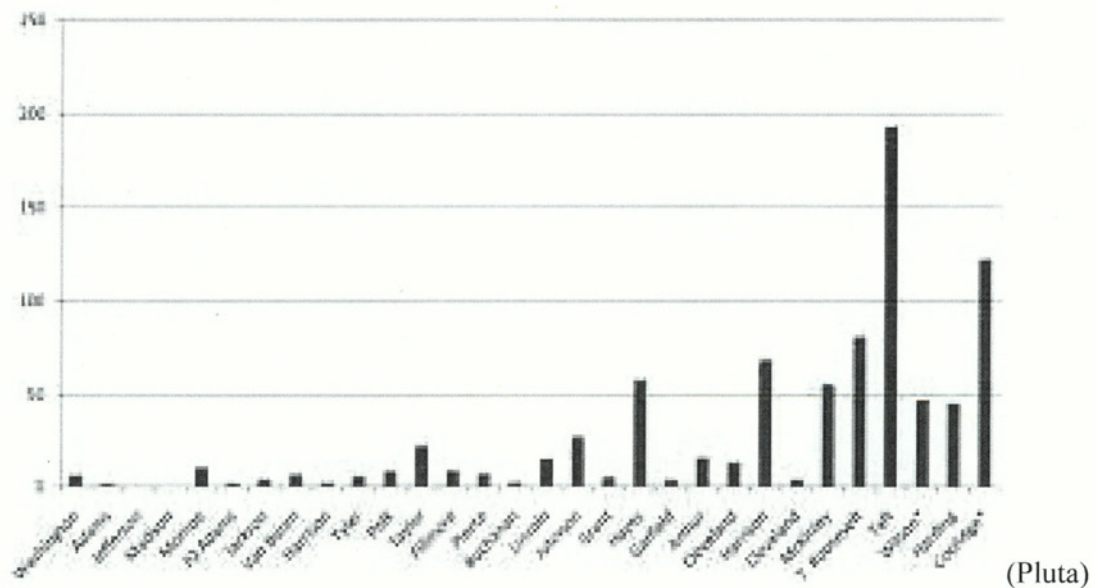
Abraham Lincoln was the first president to use a telegraph within the White House to communicate with other government officials and the public. The telegraph changed the speed and accuracy in which the president could communicate with the public. The telegraph allowed the president to quickly communicate with others, including the public (Couric). Most often the president would release a statement to the major newspapers of that day through telegraphs. The newspapers would receive the same message and were able to publish at the same time, thus making the executive statement consistent all throughout the country (Couric).

Until the turning point of executive statements with President McKinley, presidential communication was limited to only serve specific purposes. Presidents Jefferson and Madison felt that it was better to let the elite order government and only tell the people of issues in desperate times. Often times presidents would only give executive statement where the country was in a state of war and the people needed to be unified by their leader. During the Civil War Lincoln used executive statements, through the use of the telegraph, to unify the what was left of the country. He felt that the people had a right to know how the war was progressing and what was becoming of the men and children who were fighting in the war. In addition to informing the people of imposing wars, executive statements were used to promote the president when it was time for re-election. President Hayes was specifically known for doing this. He often released press statements of actions he had taken at an earlier time in his presidency to remind the American people how his presidency was a success. President Cleveland wrote very few executive statements, but those that he did often reflect personal views of policy initiative. Some scholars view the rhetoric use as demeaning to the average American reader (Pluta).

There are numerous theories as to why the executive statement has evolved to what it is today. It has been argued that Woodrow Wilson is responsible for the change in rhetoric in presidential communication, due to how he conceptualized the constitutional role of the

president. Other scholars have argued that it was due to a decline in party bargaining that led the president to appeal directly to the people. Whilst still other scholars argue that it was through the use of publishing statements in the newspaper that presidential communication changed. Some merely state that it was the culture of the time that restricted the aristocracy from being obliged or feeling obliged to speak to the rest of the country. Others state that it was the changing of the culture and technology that encouraged presidential communication. What scholars tend to agree upon is that the early 20th century changed the communication of presidents and the American people. Executive statements were done more often than the last 150 years. Scholars also have an agreement that the rhetoric of presidential statements have been in decline for the last few years (Civil Rights and Civil Conflicts).

It is clear that Woodrow Wilson's presidency changed executive communication and the executive statement. Before 1913 very little presidential rhetoric was spoken, it was mostly printed in newspapers. President McKinley begins the constant movement of frequent talks to the American people (Pluta).



As the chart demonstrates, McKinley began the steadfast trend of communicating more with the American people through executive statements (Pluta). In the years before the presidency of McKinley presidents were limited in travel and often times too sick to make long journeys in order to give speeches. Chester A. Arthur and Grover Cleveland both underwent surgeries to treat long-term illness and their travel was restricted due to this (Pluta).

Beginning with President McKinley the executive statement began to be produced in a way that was targeted for the average American. It was meant to united the Oval Office and the American public. F.D.R. used his statements to address concerns, rumors, and fear of the American people during and after war time. President Johnson used these statements to champion civil rights. He took a public policy matter and sought help from the American people through his statements, urging them to make this change and accept the change (Civil Rights and Civil Conflicts).

This created a formal air to executive statements. Even when the radio began to be used it was still a formal event. F.D.R.'s fireside chats began the informality of executive statements. The quicker the message was able to come across to the American people the more informal the message became as did the brevity of the message.

Through advancing technology the executive statement changed again. The invention of the radio, in 1920, made executives statements much more informal, but also longer in nature. The first president to use the radio to address the nation with an executive statement was Warren G. Harding in 1922. His voice was broadcasted through holding a telephone up to a radio microphone to be broadcasted to commemorate a memorial on behalf of Francis Scott Key. The radio remained the chosen way to communicate for quite some time. Franklin Delano Roosevelt became known for using the radio to produce executive statements (Couric) F.D.R. was seen as using the radio as a sort of bully pulpit to promote his agenda directly to the people. Throughout World War II numerous speeches as well as executive statements were released over the radio. This was done to personalize the president and the war. To show the American people that the president hears them, cares for them and their sons, the president is not unreachable (Civil Rights and Civil Conflicts).

This is where a marked change occurred presidential communication and executive statements. Statements became more personal and were conducted more often. The president began to become a real person to the public, not a distant executive. Due to population perception and reception of the executive office executive statements began to increase in number and length. The radio came along in a time that people needed to and wanted to hear from the president (Couric). With the country in two wars within a small period of time the

country looked to its leader to communicate with them. The radio made this quick and possible, allowing executive statements to become almost a nightly occurrence (Civil Rights and Civil Conflicts).

The radio remained the forefront of executive communications until the invention of the television. October 5, 1947 President Harry Truman made the first televised executive statement to 44,000 receptive televisions in the United States (Couric). This greatly personalized the statements and reinforced the authority of the statement. To see is to believe. In 1939 the Executive Office of the President, the EOP, was created by President Franklin Roosevelt. One of the main charters of this office is to communicate the president's message to the American people. The creation of this office removed the personal factor of executive statements. The president was not the one relying them as he had in the past (Couric). Communication to the American people came from an executive office, thus taking away the personal aspect of the executive statement that had been created. The use of the television to televise executive statements recreated the personal aspect and tie to the American people. It also made the statements formal again because the president was no longer addressing the nation in a time of crisis. The nation did not need a "friend" it needed a leader. The length of these statements increased as did the formality of these statements (Civil Rights and Civil Conflicts).

Television and articles in newspapers became the main form of communication between the President and the American people. This remained as such until May 18, 2015 when President Obama created the POTUS Twitter account and tweeted for the first time. Since then Twitter and various social medias have been used as a forum to communicate executive statements. President Obama tweeted 352 time from his official POTUS Twitter (President Obama's Twitter Account). The use of social media was decreased the formality and the length of executive statements incredibly. Presidents are creating and publishing more executive statements than ever seen before, but they cannot be longer than 140 characters and lack the formality of a presidential address.

Presidential Communication 2.0

Presidential communications are constantly evolving with technology. Technology aids the president in reaching the American people and construing his message. Current communication technological advances have centered around the use of social media. Thus propelling the president to consider and use social media as a platform to communicate with America and the world.

Social Media

Social media are web-based services that allows an individual to do three main functions: construct public or semi-public profile within the system; create and articulate a list of other users with whom they share a connection; and view and traverse with their list of connections and others in the system. Each type of connection varies depending upon the site they are using and what the site intends for its users (Ellison).

Users connect with others by viewing the profile of the person with whom they are wishing to connect. The profile is the backbone of social media. Profiles are pages that are designed to be unique to the user. This is where the user types information about themselves. Once a profile is made the user identifies other persons they know or are interested in knowing in order to use their profile to communicate with others. Messaging, commenting, posting, and profiles are how social media are united. After this they vary greatly and vastly from each other (Ellison).

One of the most commonly used applications is Twitter. Twitter is able to be used on phones, computers, tablets, even television. It is one of the quickest ways in which news escapes through social media. Twitter is considered a microblogging site that is for distributing short messages quickly. It has been integrated to be used in tangent with other social networking sites such as Facebook and Instagram. Messages that are sent out through Twitter are called “tweets” (Britannica). Those who use Twitter are considered users and “tweeters” (Britannica Encyclopedia on Twitter). A user may use a variety of mobile devices to send a “tweet” (Britannica Encyclopedia on Twitter). Tweets may be no longer than 140 characters and may be on any subject. They are used to create a dialogue between the users of Twitter (Britannica

Encyclopedia on Twitter). When someone types a tweet and sends it to the Twitter server, the message is relayed to a list of other users (known as followers) who have asked to be notified when the sender sends a tweet (Britannica Encyclopedia on Twitter). Millions use Twitter to communicate with others.

Social Media as an Outlet for the President

While social media has consumed American culture, it has crept into more than just the hands of teenagers. It is now a valid way for the President of the United States of America to communicate with the American public. In May of 2015, President Barack Obama created history when we sent the first tweet from the official Twitter of the President of the United States (POTUS). This was the only official social media of POTUS until President Trump created a Snapchat account in 2017 (Jefferson).

President Obama controlled his own account as POTUS, along with the help of his first lady, Michelle Obama. While President Obama was in office he used Twitter sparingly, mainly as a source of encouragement and consoling the American people when it needed to be done in a quick and concise manner. He composed his tweets on his own and sent them himself, or with the first lady's help. He sent roughly 2,000 tweets with his remaining time in office, 352 were from his official POTUS account while the remaining was from his personal account.

President Trump has sent over 35,000 tweets since first taking office. He has posted around 36,800 tweets, has liked 24 tweets, has had six Twitter moments. Since entering the White House, he had posted – as of January 17, 2018 – 2,601 tweets (Andrew). This number does not include the number tweets used in the campaign or while he was the presidential nominee. This absurd number of tweets has greatly upset the American public as well as the content of the tweets. Trump has been likened to an emotional teenage girl - always tweeting her drama. While President Obama used tweets sparingly and were carefully constructed, President Trump has acted in a different manner. He tweets often and in a very aggressive manner (Andrew).

With presidents tweeting, the executive statement has changed yet again. The American people have been desensitized to the executive statement. Just because the method of

communicating is faster, it does mean that it is right for this nation. Just because something can be done, does not mean that it should. With executive statements being carried out as tweets, the American people expect constant communication (Andrew). This ability to have instant communication has benefits and drawbacks for society and the presidency.

Benefits and Drawbacks

POTUS having a Twitter account has benefits for society and the American people. Recent studies have shown that through social media use the American populous is more engaged in political actions and voting. Social media has created an ease for people to quickly access a summary of the President's thoughts or actions that will or were taken on an issue (Collins). Due to the brevity and simplistic nature of tweets this makes the political process easier for the American people to understand, thus creating a more informed populous (Doherty). With a more informed populous, more people are able and want to take political action and voice their thoughts and concerns to society in regards to the president's actions (Doherty).

Social media that is used by POTUS allows the president to quickly speak to the American people in times of crisis. As well as quickly call attention to issues that have flocked the nation. The president having a presence on social media allows for the American people to have a more visible leader. This also allows for the people to tweet back at the president. This is as close to direct communication with the president as the American people have ever had (Doherty).

There are drawbacks to the President being on Twitter as well. Once a statement is made on social media it cannot be entirely deleted from the public's eye. It is like a permanent record. If the president were to change sides on a matter or even mistype something there is a permanent record of that can easily be used against him and his administration (Hatcher). With this being said, the president is human and can speak rashly (Andrew). With the use of Twitter the president could rashly speak out against a topic and incite political upheaval. Social media creates instant access to the world and must be used in a careful manner.

With this being said, the respect for the Office of the President changes when one uses Twitter as a form of communication. It can be argued that the use of Twitter disrespects the

prestige of the President and his administration. Twitter is a very casual form of communication that was brought to a height through millennial and celebrity usage. It is also viewed as narcissistic. By having the president use Twitter an image is created of the president. One that is not flattering (Doherty). It creates an image of the President of the United States having nothing better to do than engage in Twitter wars and narcissistic promotion while there is a nation that needs attention (Collins). There is something to be said for the decorum and respect the Office of the President commands and it is with this respect for the office that the president should be held to a higher standard than that of a basic millennial who is obsessed with her pink Starbucks drink.

Not only does Twitter promote a causal association of POTUS but it is also time consuming which adds to the notion of lack of interest, power, and respect for the Administration. Recently, through the use of Twitter, Kim Kardashian West was able to get the attention of the nation and The President in regards to releasing a felon who was serving time for drug charges. Through pressure from Twitter, Kardashian was able to petition for a pardon for this woman and President Trump signed the pardon. Now this woman was a drug offender who was peacefully serving her time. This was of no immediate need for the president to look over this issue and this woman, let's not forget, was guilty of a crime. Through being tied to social media, the President was pulled into a media frenzy (Doherty). This took time away from national issues and it showed that Twitter and those who make a 'fuss' on Twitter are able to command the attention of the President. This makes the President vulnerable to societal pressures as well as spending more time on his media image than doing his job as President. While the President needs to be aware of societal issues and feelings, the founding fathers purposefully made the Office of the President a powerful and yet reserved office. Thus, allowing the president to continually feel the pressures of the people, thus allowing the president to take actions that he viewed in the best interest of the nation instead of allowing a majority rule.

Twitter also has other adverse effects on the presidency. It desensitizes the American people to the executive statements made by their President (Hatcher). Through having the ability and using it to constantly update the American people, the reverence of these statements and awe begin to decrease. If one is able to constantly see or hear something it becomes less and less

special (Doherty). Thus if the president continually uses Twitter as a outlet for executive statements the statements decrease in power and prestige, making them mean very little at the end of the day. The American people begin to care, and already have, less and less for what their president is saying and how he is saying (Collins).

The use of Twitter also takes away the ability hear tone inflection, which can determine the meaning of a message. It also takes away the prestige of the president, taking the time to speak to his nation, to show that he cares. F.D.R. was considered one of the most comforting presidents to the nation was war was on the brink of consuming America because he connected to the American people. He took his time to speak directly to the people, not write an impersonal tweet that anyone could be doing.

Not only does the use of Twitter affect communication with the American people, it affects communication with foreign dignitaries as well. The lack of respect that the president receives through his use of communication is clear to other nations. If his own people do not respect him or his choices why should foreign dignitaries. The below image is to illustrate how America and the many parts of the world view presidential power and communication when Twitter is involved for presidential communications. The use of Twitter has created an image of the president as a weak office that has nothing more to do, and cannot do more, than push the tweet button his phone (Doherty).



Cagle.com

(Button)

While this is a casual, one may even say disrespectful way, to lead and talk to a nation there are other issues with the president using Twitter. Twitter, like any excessive social media use, requires one to stare at a screen. This leads to health problems such as eyesight and more posture. The presidency is one of the most stressful jobs in the world and deteriorates one's health quickly. With this in mind, why should the leader of the free world add more risk to his health for the purpose of using social media.

Legal Implications

Many have called for the president to resign from Twitter but legally, no one can make him. There are no current laws that prohibits the form in which the president chooses to communicate, only that he must address Congress once a year and this has been kept by doing the State of the Union address.

While legally, the president is able to use Twitter to communicate it has certain legal implications for him that can be seen as a drawback or a benefit. This is best shown in the current Supreme Court Case *Trump v. Hawaii*. While this case is about the legality of the travel ban executive statements that are conducted through Twitter have legal implications. This was the first case that The Supreme Court heard that signaled the president's intent of actions through his Twitter account. While President Trump stated that this as a "good sound policy" that was not based on discrimination, his Twitter stated otherwise. Justice Sotomayor used his tweets in her opinion, "first advertised openly and unequivocally as a 'total and complete shutdown of Muslims entering the United States,'" but that "the policy now masquerades behind a façade of national-security concerns." Justice Sotomayor states that though President Trump has relabeled this policy it does not cleanse his intentions "the order of the appearance of discrimination that the President's words have created. The words she is referring to are his tweets. At the time of the proposed travel ban, President Trump sent out numerous tweets that concerned the religious status and race of Muslims, all Muslims. Not a certain sect or radical group. President Trump openly tweeted prejudice and discrimination about all Muslims and then proceeded to attempt to

call it national security instead of calling it what it is, hate. Justice Sotomayor stated that “ a reasonable observer would conclude that the Proclamation was motivated by anti-muslim animus.” Justice Breyer, in his dissent stated that “would, on balance, find the evidence of anti religious bias... a sufficient basis to set the Proclamation aside.”

What has happened is that the Supreme Court is using the President's tweets as proof of *mens reus*- the criminal intent needed to be proven in a case to show that a crime was committed. President Trump is well aware of his actions and the anti muslim sentiment that they carry and this can be seen in his tweets. The Supreme Court case *Korematsu*, is mentioned in regards to similarity, yet the Justices point out that there was a clear intent from the president and the policy that it was supposed to act as a protection for the country. That intent is not as clear in the current case.

Executive Statements carry presidential *intent* in them. What that means for the current presidency, legally, is that his tweets show his legal intent on policies and future actions of the state. The President's *intent can be held accountable* in a court of law as seen in the *Hawaii* case. Presidents and government officials are to adhere to the oath they take when entering office, which is to uphold the Constitution in every form. It is with Twitter that there is an emerging judicial scrutiny upon what the current presidential intent is. Every justice on the court wrote that they had doubt to the intent of the actual policy reasoning due the language used prior to the policy (meaning Twitter) and the wording of the policy.

A drawback for the president is that Twitter is able to be used to show intent in a court of law. The president's tweets are executive statements, which signal to the country what the intentions and actions will be of the president. Just because a president has taken to social media does not mean that executive statement no longer is looked upon for intent.

In *Trump v. Hawaii*, the Court was faced with answering the question of should the court defer in the face of suspicions of bad faith and how clear would bad faith have to be? No justice was able to give a satisfying answer but Roberts and Sotomayor proposed answers. Justice Roberts, along with the majority, stated there was a formalism in which the court should

use to evaluate the proclamations as though it was a “comparable action by any other president” which down plays the statements that shadowed the intent of the president (Wittes). Roberts writes, “the issue before us is not whether to denounce the statements. It is...significance of those statements in reviewing a Presidential directive...addressing a matter within the core of executive responsibility. In doing so, we must consider not only the statements of a particular President, but also the authority of the Presidency itself” (Wittes). Here Chief Justice Roberts is giving the president an out, the intentions do not matter as much as the presidential authority to take such an action. He is saying that administrative power must be weighed heavier than the intent or neutrality of the proclamation. This approach basically says “to hell with the intent.” Thus giving the executive statement less legal authority. This could be a benefit or a drawback depending upon how a president wants to use the statement (Wittes). This allows the president to fire off executive statements of any nature and not be held responsible for their intent or underlying statements. It also dilutes the authority of the executive statement by saying the intent of a statement has no legal authority. This gives the president the right to act in such a way that can be racist, sexist, and prejudice towards the public without risk of legal repercussions for the intent behind those words. This is a power that no person should yield. Motive and intent do not matter, so no one can judge the president’s actions in a true sense if you cannot judge the motives or intent. This essentially keeps the judiciary from judging the executive actions if they are able to be justified as “neutral” (Wittes). *Korematsu* could be neutral by this logic then, it was under the guise of national security where racist actions took over. By not taking the president's intent into consideration the president is not held as accountable in all that they say (Wittes).

Justice Sotomayor held the majority’s feet to fire in her dissent, accusing them of blindness where the president is concerned. She stated that by allowing the president’s intent to not be considered then they are allowing the president to hide behind administrative review processes that the Government refuses to disclose to the people, thus creating a curtain behind which the president takes action. She argues that intent does matter (Wittes). President Trump’s tweets should have been more heavily considered in this case because his executive statements show that his actions hold the intention of racism. Without considering the intention of the

actions it sets the court, the country, and the law up to be conned (Wittes). How will it look when Trump announces that this travel ban backs up his campaign promises and executive statements of promising to stop Muslims from entering the country? The court will look like a set of legal minds that were pawns in a game of chess that the judicial system lost because Trump would have been able to pass a law and have the court uphold it; that is outrightly discriminatory.

Justice Sotomayor's dissent holds executive statements to higher authority, giving them legal intent and some legal authority - enough to be upheld in a court of law to show intent. Her dissents catalogues all of the president's statements. Starting on the campaign trail and through his time in office that shows prior iterations of the travel ban. Once laid out, the president has little room to pivot his actions or intent - they are clearly attempting to discriminate (Wittes). "The full record paints a far more harrowing picture, from which a reasonable observer would readily conclude that the Proclamation was motivated by hostility and animus toward the Muslim faith" (Wittes) With this in mind, if Trump were to put another form of limitation on a particular religion all prior statements could be used against him. This leaves almost no room for the president to backtrack himself, to pivot from past declarations or statements (Wittes).

Social Media is Changing Presidential Communication

Social media has changed the way that presidents have chosen to communicate with the American public. It has created a new platform for the president to use to take his administration to the American people. President Obama used social media sparingly and to promote upcoming events or issues that were currently facing the American people and government, "Editorial boards across the country are telling Senate leaders: #DoYourJob" was tweeted on May 20, 2016. On June 25, 2016 President Obama tweeted, "Take a look: @VP Biden discusses what 4-4 decisions—like yesterday's on immigration—mean for our country" (Willis). President Obama tweets were seen as advertisements for speeches to come or to bring awareness to issues that were affecting the nation. He used to promote ideas and events that concerned this nation and the presidency. President Obama used tweets sparingly and not in a form of replacing the executive statement, but in a way to add to it (Willis).

President Trump has been seen to use tweets as a replacement form of communication with the public. Trump tweets more than any president and uses it as a stage to direct attention, argue with celebrities, and promote fake news. Trump's tweets are aimed to promote a following instead of pure information (Blake).

Both presidents to use Twitter have used it as official executive communication, releasing official statements to the public and the press through media usage. This has digitalized and archived the executive statement in a way never before used. Statements that have been made can no longer be erased, 'once something is on the internet it can never be taken down.' Instead of having to carefully deliberate statements and timing of these statements, the use of Twitter has changed the statements. Now statements are made quicker than ever before, reaching more people (Wheeler). This means, that statements can be seen by the public quicker, and reacted to at a much faster speed. Both presidents to use Twitter have deleted tweets for various reasons, but now these statements are unable to be erased or forgotten. Instead they are immortalized. There are websites devoted to calculating and keeping tabs on tweets that have been deleted (Wheeler).

Statements are expected to come out much faster than before. When 9/11 hit the United States President Bush waited seven hours until that evening to speak to the American people. When Justice Scalia passed it was a matter of minutes before President Trump tweeted a remorseful acknowledgement (Technology and Communication for the White House).

Social media has changed the communication process of the president and the American people. Executive statements are criticized for being too fast or too slow, too long or too short. Ten years ago the American people were grateful to have executive statements and now the manner of them is under attack. Not only has Twitter changed the duration of an executive statements the frequency of them has changed as well. Twitter is a generational tool. It is utilized by millennials and those in their mid-forties. By using Twitter entire generations of people are being overlooked. The older generations hear about the executive statements through news media, because the news quotes Twitter for official statements. This eliminates the presidential relationship with the press, rather greatly limits it.

Not only has the use of Twitter by POTUS affected the relationship of the American public and News Media and the President, it has affected the President's relationship with foreign dignitaries and the entire world can see this (Blake). This has been seen true especially for President Trump.

The Trump Era

The current Presidential Era has had many criticisms and issues where the use of social media is concerned. President Trump has been called the 'fake news President' along with other critiques of how he chooses to use Twitter. There have been numerous issues related to the President's use of Twitter and how this has affected executive statements.

First, it must be recognized that President Trump has appointed someone else to write his tweets for him at times ""45th @POTUS @realDonaldTrump (Kentish). Working on behalf of the American people to make our country great again. Tweets by Dan Scavino. Tweets by POTUS signed -DJT." Dan Scavino was a former golf caddy and has been repeatedly found to report and share fake news. Such headlines include 9/11 was an "inside job", Michelle Obama is a man, and Beyonce is funded by the CIA," these are just a few of the stories that he has chosen to promote (Kentish). He also promotes conspiracy theories. Some have argued that because he does this on his own personal time, why should this matter? It matters because this is the type of person that has been hired into an administration and is supposed to share the same beliefs and values of the administration. Does this current administration really wish to share fake news? Mr. Scavino has admitted to promoting anti-semitism during the campaign through President's Trump personal twitter (Technology and Communications of the White House). The post has since been deleted. He also shared false information about other competitors in the presidential campaign through the Twitter account of, then, Mr. Trump. Mr. Scavino is not afraid to promote false news, false stories, and prejudice through the use if the Presidential Twitter (Kentish).

Not only has credit been given to fake news, true news and media sources have been under attack and criticized in order to discredit the truth that they are reporting. President Trump has outwardly stated that he does not trust the news or media if one want to know the 'TRUTH' one needs to follow his Twitter. The "TRUTH" that he refers to is his version of what the media

reports. He publicly discredits and claims not to trust this country's most used way to receive information (Technology and Communication for the White House). These actions create a lack of trust and respect for the President and the presidency. How is anyone to trust an executive statement if the person releasing them also releases and promotes prejudice and false news? Why trust someone who has lied to repeatedly?

Not only is there is an issue of trust, it is an issue of respect. POTUS is no longer communicating directly to the American people, there is now a person in between the president and his statement and the American people. This means the statement is not in its truest and purest form when it is released to the American people.

In addition to being a fake news president, President Trump is often critiqued for what he chooses to tweet about. His tweets are inflammatory remarks that incite hate and inequality. In the first six months of office, there were over 80 tweets about "crooked Clinton", 183 on "fake news" and 104 on how to "Make America Great Again." No other president has used the media to outwardly attack individual races or people at such length while maintaining the presidency.

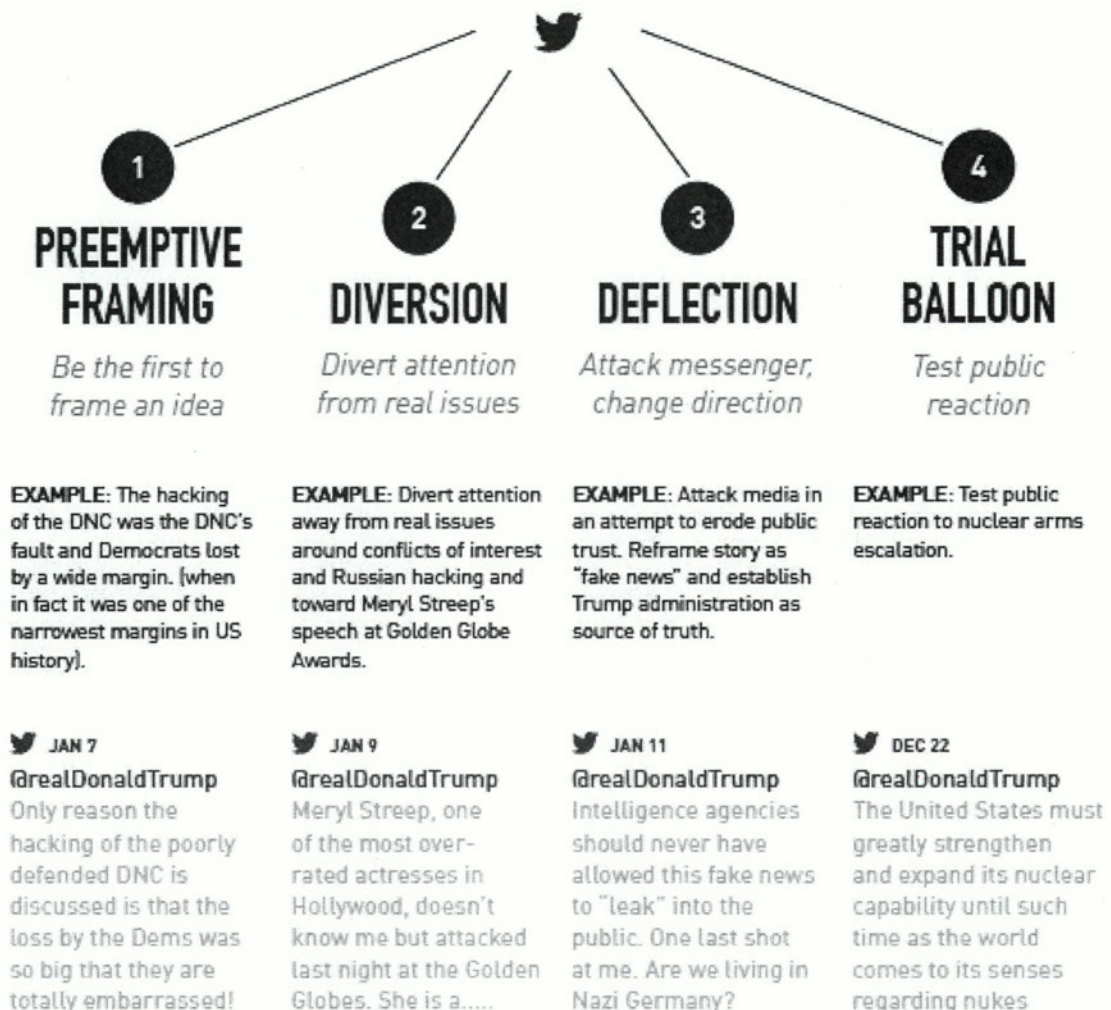
Due to the nature of the tweets from President Trump, more attention has been given to his outlandish ideals and behaviors than the actual policy and actions that he and his administration are taking. He has become a source of entertainment rather than a source to look to to govern this nation. President Trump has stated that, "My use of social media is not presidential," but rather it is "modern day presidential" (Wheeler). Why is there a need for a distinction to be made between presidential and modern day presidential? For the President to say that his actions are not presidential speaks volumes to the world and the nation. It is a formal acknowledgement of disrespecting the ways in which manners and societal awareness were treated by past presidents.

Trump has weaponized Twitter in such an effective way, many of his followers do not realize it. A Emeritus Professor of University of California, Berkeley, George Lakoff, is an expert on cognitive science and linguistics. He analyzed tweets from President Trump and came to the conclusion that "Trump uses social media as a weapon to control the news cycle. It works like a charm. His tweets are tactical rather than substantive" (Wheeler). This is the making of any sci-fi movie or book. The government has a radical leader that controls what society knows and

learn, thus leading to an extreme dystopia where groups of people are ostracized and eventually eliminated. To control the media in anyway is to break one of the founding principles of this country, freedom. It harms the first amendment's protection to free press. If America is only to be informed by one news source, the President, then issues are ignored and societal thought and growth ends. It becomes a mindless dictatorship that disbelieves anything other than what is being spoken by the President (Technology and Communication for the White House).

There's already a real life version of this, North Korea. This is a place where the government, controlled by the dictator, controls the media. North Koreans have no conflicting news sources or resources to verify what they are being told. By attempting to and being successful in some ways to weaponize Twitter, Trump has started the trek towards controlling the media, inching us closer in resemblance to North Korea. Below is a graphic, put together by Professor Lakoff that describes how Trump uses his tweets and Twitter.

A Taxonomy of TRUMP TWEETS



(Lakoff)

By engaging the media over the idea of fake news, Trump has been able to divert the media's attention. Instead of the media pointing out that he is attempting to divert the media's attention from his actions they are more focused on stating that what they are reporting is not fake and does matter. This is a tactical maneuver that many CEOs of media companies do. This

boost ratings by drawing attention to himself, while diverting the attention from the underlying issue (Technology and Communication for the White House).

In addition to his promotion of fake news and controlling the media President Trump is not, to put it gently, an elegant tweeter. He often deletes comments or words that he misspelled - when it is him doing the actual tweeting. In 2017 he tweeted "Despite the constant negative press covfefe" (Technology and Communication for the White House). Not only is social media being manipulated, it is done so with elementary oversight. A college student would not turn in a paper without first proofreading it, nor would a news journalist submit an article without it first being proofread. Yet, the executive statements are submitted to the American people, to the world, without first being carefully proofread, even for the simplest mistakes. The more mistakes made, more that he deletes tweets. The deleted tweets are a trend that this President seems to have. He has deleted over 4,000 tweets while in the White House (Technology and Communication for the White House). If he doesn't like the response, he simply deletes it. The more that he deletes what he is officially communicating the public the more suspicious his behaviors are and the lack of trust between the media, the president and the American people grows deeper. By deleting the tweets he is showing the world, that one, he does not have enough respect for the American people to proofread so he deletes them for error, two he can take back any thing he has said, thus not making him reliable, and three he allows twitter trends to control what is said to the American people (Technology and Communication for the White House).

Deleting tweets is not the only issue, it is the manner in which he chooses to tweet. Trump does not tweet to inform, he tweets for attention. He uses short and emotive tweets to elicit a strong response from supports while doing very little to sway the opposing attitudes. His tweets often inflame already delicate situations, such as the verbal assault that he gave the Mayor of London, Sadi Khan, on the aftermath of the terror attack in London of summer 2017 that injured over 50 people and killed 7 (Wittes). Trump took the Mayor's words out of context to create a snarky tweet about not needing to be concerned by an increased police presence, "At least 7 dead and 48 wounded in terror attack and the Mayor of London says there is 'no reason to

be alarmed” (Wittes). This is one example of Trump’s choice to create tension and division instead of embracing a tragedy in a foreign country and offering sympathy and support.

He has diluted the executive statement to a form that criticizes other countries in a time of crisis and verbally assaults others. All of this done under the guise of executive communication. When he releases a tweet to the American people it becomes an executive statement and seen as communication from the President. Trump often creates attacks that can be likened to that of a schoolyard bully. He attacked a former beauty queen for her “disgusting” sexual past and threatened to release his Twitter account against Megyn Kelly (Wittes). He is using the official Twitter account of the President to create executive statements that purposefully aim to harm individuals and causes that help further the progress of many issues including that of women being treated as equals and embracing their own sexuality. Minnesota Congressman and Democratic National Committee Deputy Chair Keith Ellison has stated that President Trump is a “social media bully” and his account should be deleted (Wittes). He is one of many voices in Congress that feel that executive communication should be taken as lightly as President Trump seems to think it should nor should he be using Twitter as a platform for these communications (Wittes).

Why does this matter?

The president being on Twitter affects all Americans and the future of presidential communication. The president has diluted the executive statement and presidential communications by speaking to the masses without filter or context. The President’s Twitter feed reaches over 47 million people on a daily basis. That means his messages of degrading the news sources, prejudice, and whatever else he wants to preach from his bully pulpit that day reaches over 47 million people. This the most that the executive statement has ever reached at one concise time. Due to this the nature of presidential communication has changed. Trump has been effective in reaching more supporter and persons than ever before. Not only does his use of Twitter gain attention but the media writes about and reports on what he is saying via Twitter and how he is using his Twitter - thus spreading his message even further. Despite what Trump may think of the media, the fact that they are reporting on his executive statements through

Twitter gives his statements even more legitimacy. There is truth behind the saying divide and conquer. By the president spouting off on Twitter and being able to reach millions and engaging in Twitter wars, he is able to divide the nation in matter of seconds. Creating a lack of unity in almost all areas of the nation.

Not only are his messages going further, they have implications for the policy administration and legality of the president's actions. The use of Twitter has diluted the executive statement to a point where the majority of the Supreme Court has ruled that the executive statements do not matter what intent is signaled for legal implications. This sets the stage to begin the demise of intent behind all presidential action. The president is no longer being held legally accountable for the intent behind his actions.

Future Implications

With the ability to reach more people comes power and with power comes responsibility. The sources that the president is using on Twitter are increasingly less verifiable. Thus fake news and fake information is being spread easier and quicker than ever before. If the president cannot justify or site his sources then what is to be expected for the rest of the country? This sets a standard for communication and the presidency that degenerates that of formal and factual presidential communications.

If formal and factual communication from the president is no longer to be held to a higher standard, or a standard at all, fake news can easily overrun real news. Leaving a confused and distraught nation. Words have a powerful effect, they signal intent which signals policy to come and the implications of this policy. To not give executive statement the proper and due respect it undermines that of the presidential policy and his administration. The use of Twitter undermines this respect. To continue to undermine the respect of an administration it undermine the respect that the presidency holds. Soon an office that was created to guide this nation and separate her from a monarchy will cease to carry any weight at all.

Not only are there issues of respect and questionable truths, the presidency will have to answer to what his intentions were should he continue to use Twitter. The intentions of the president have already been questioned by the Supreme Court and the American people. But,

should the president continue to use Twitter as the source of executive statements his actions will be questioned continually. It is good to be able to hold the president accountable, but if every action is questioned then the actions no longer constitute authority. With no authority, actions cannot be enforced. All because the president chose to remain on Twitter. In essence, the president does not belong on Twitter because it lacks respect for the presidency and presidential communications.

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